

REMARKS

This case has been carefully reviewed and analyzed in view of the Official Action dated 22 February 2000. Responsive to the rejections made in the Official Action, Claim 8 has been canceled by this Amendment and the subject matter thereof incorporated in Claim 7 in order to add limitations thereto which are believed to make the claim patentability distinct.

In the Official Action, the Examiner rejected Claims 1-4, 7 and 8 under 35 U.S.C. § 103, as being unpatentable over Stevenson, U.S. Patent No. 4,337, 963, in view of Stevenson, U.S. Patent No. 4,182,520. The Examiner stated that the Stevenson '963 reference disclosed a skateboard comprising a top plate 10A, a bottom plate 10B, and four longitudinally extending vertical members, the two inner vertical members constituting strengthening frame and the two outer vertical members constituting ribs between the strengthened frames and a respective closed side plate, and two pairs of wheels rotatably mounted to corresponding support brackets which are coupled to the bottom plate. The Examiner further states that the Stevenson '963 reference closes that a skateboard can be made of a multiple

material such as plastic or aluminum. The Examiner then refers to the Stevenson '520 reference as disclosing the use of a flexible protective pad 11 which covers the side and end portions of the skateboard. The Examiner then concludes it would have been obvious to provide the skateboard body of Stevenson '963 with a protective pad which covers the end portions as taught by Stevenson '520.

It is respectfully submitted that the Stevenson '963 does not disclose or suggest a skateboard structure wherein the elongate body, formed by a top plate, a bottom plate, and pair of closed side plates, a pair of reinforcing ribs, and a pair of strengthening frames are integrally formed in one piece of a single moldable material. In fact, Stevenson '963 teaches away from forming the platform 10 as an integral one piece structure. The reference discloses a top piece 10A and a bottom piece 10B which are held together by screws, Col. 2, lines 2-5. So further, the reference fails to disclose or suggest side plates of the elongate body which are "closed". Each of the pieces, 10A and 10B, has a respective rim 10C, 10D, wherein the upper rim 10C overlaps the bottom rim 10D, Col. 2, lines 15-20. While the

overlapping structure provides added strength to lateral impacts, such provides reduced strength for supporting the weight of the user along the perimeter of the platform, as the portion of the top plate extending from the centrally disclosed ribs is cantilevered, and not supported by an portion of the bottom plate.

In contra distinction, the invention of the subject patent application provides an elongated body wherein the top plate, bottom plate and the pair of closed side plates are integrally formed in one piece, page 2, lines 4-5 and page 3, lines 9-11, to thereby provide a superior high strength structure. Further, the invention of the subject patent application includes a support base 100 formed on immediate portion of the top plate, and bounded by a pair of strengthened frames 141 which extend longitudinally within the body. The pair of strengthened frames have a "box"-like structure through which the bolts 15 pass to mount the wheel support brackets. Thus, as shown in Fig. 3, each vertical wall of the strengthened frames is in close proximity to the screw passing through that frame, to resist the compressive forces of the screw. The laterally spaced screws do not share

any vertical walls of the strengthened frames, each screw being supported by the vertical walls of the corresponding frame.

Whereas in the Stevenson '963 reference, the integral bushings 15 which are used to mount the wheel supports, are located adjacent a respective rib, at an outer perimeter of the bushings, with one rib disposed there between. Thus, at the very best, the centrally disposed rib shares the loading of the laterally spaced screws. Such structure does not define a pair of strengthened frames and does not provide as much support as that of the invention of the subject patent application. Therefore, Stevenson '963 neither discloses a support base nor the bolts passing through strengthened frames, but instead discloses a different arrangement of supports and function thereof from those of the invention of the subject patent application.

The Stevenson '520 reference does not overcome the deficiencies of Stevenson '963. Similar to that of the '963 reference, the '520 reference discloses a skateboard structure wherein top and bottom pieces are bolted together. Between the perimeter edges of the top and bottom pieces, the '520 reference

provides a bumper 11 of a flexible material. No where does the reference disclose or suggest forming the elongate body (a top plate, a bottom plate and a pair of closed end plates) along with a pair of reinforcing ribs and a pair of strengthening frames integrally formed in one piece of a single moldable material. Further, the reference fails to disclose a support base formed on a mediate portion of the top plate, bounded by the pair of strengthening frames with the pair of reinforcing ribs formed between the closed ends and the strengthening frames. Therefore, the combination of the '963 and '520 references can not make obvious the invention of the subject patent application, as claimed.

In the Official Action, the Examiner rejected Claims 3 and 5 under 35 U.S.C. § 103, as being unpatentable over Stevenson '963 in view of Stevenson '520 and further in view of the "Cycle" publication. The Examiner states that the Cycle publication, on page 48, discloses that skateboard bodies have been made of aluminum and surf board foam. The Examiner concludes that it would have been obvious to modify the skateboard of '963 and '520

references as combined with respect to Claims 1 and 7 by making the body entirely of aluminum and filling the interior with foam.

It is respectfully submitted that the Cycle publication only describes the skateboards as being made of aluminum and surfboard foam, but does not disclose any structure defining the interrelationship between the two materials. The reference could be describing a structure wherein a solid aluminum body with a cover made of a foam material. There is no suggestion of forming a hollow skateboard body, formed in one piece, with a foam core material mounted inside the hollow body and located between the strengthened frames and between the reinforcing ribs, as defined in Claims 3 and 5. Therefore, it is not believed that Claims 3 and 5 are made obvious by the combination of the '963, the '520 Patents and the Cycle publication.

As no structural interrelationship is disclosed by the "Cycle" reference, it can only be through the impermissible use of "hindsight" that the Examiner suggests that from the mere mention of the two materials such implies the structure as defined in the invention of the subject application. The reference does not disclose the use of foam internal to the body

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of the skateboard body, as provided in the invention of the subject patent application, and provides no motivation for applying such in that way to the '963/'520 combination to make obvious the invention of the subject patent application. Thus, the combination of references relied upon by the Examiner cannot make obvious the invention of the subject patent application.

It is now believed that the subject patent application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
FOR: ROSENBERG, KLEIN & LEE

A handwritten signature in cursive script, appearing to read "David I. Klein".

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